

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

LUKE A. HOLLEY,

Plaintiff,

v.

DR. MARK T. ESPER, in his official
capacity as the SECRETARY OF
DEFENSE,

Defendant.

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CASE NO. 5:20-cv-00093-RWS-CMC

DEFENDANT'S TRIAL WITNESS LIST

Defendant, Dr. Mark T. Esper, in his official capacity as the Secretary of Defense, (hereinafter, "Secretary of Defense" or "Defendant") by and through its undersigned counsel, provides this Trial Witness List pursuant to the Court's Docket Control Order.

Defendant identifies the following witnesses for trial:

1. Kim Rogers, DLA Human Resources
2. Cynthia Allen, DLA EEO Counselor
3. Deputy Commander Freddie Hildrich, DLA DDRT Deputy Commander
4. Laura McDaniel-Walker, DLA DDRT Employee and Supervisor
5. JoAnn Schopman, DLA EEO Counselor
6. Theresa Neal, DLA Employee
7. Kevin Brown, DLA Employee
8. Maurice Muhle, DLA Employee
9. Tim Allen, DLA Employee
10. Kelly Probe, DLA Employee
11. Devin Weed, DLA Employee
12. Larry Ashlin, DLA Employee
13. Joe McCord, DLA Employee
14. Raymond Fields, DLA Employee

15. Annie Fields, DLA Employee and Supervisor
16. William Perry, DLA Supervisor
17. Ronnie Fields, Retired DLA Employee
18. Linda Ainsworth, Retired DLA Employee
19. Richard Maldonado, Retired DLA Employee
20. Treating Physicians. Names unknown. Plaintiff had not provided medical records. A Motion to Compel is pending before this Honorable Court.

Exhibits

1. Plaintiff's certified medical examination (pre-screening physical) dated May 17, 2018;
2. The Distribution Process Worker position description that Plaintiff was hired into and currently works;
3. Plaintiff's USAjobs profile depicting federal positions for which he applied;
4. Plaintiff's Resume;
5. Application packages, to include resumes for the competing candidates for the Material Examiner Position (DLA hiring folder for this position);
6. Plaintiff's request for reasonable accommodation requested dated December 6, 2018;
7. All DLA agency documents responsive to Plaintiff's reasonable accommodation request;
8. Plaintiff's certified medical examination dated February 4, 2019;
9. Plaintiff's time and attendance records since employed by DLA;
10. E-mails between Plaintiff and Ms. Cynthia Allen relating to Holley's medical restrictions and request for a reasonable accommodation;
11. E-mails between Plaintiff and DLA employees regarding the physical fitness program;
12. E-mails between Plaintiff and DLA employees regarding issuance and reissuance of work boots;
13. DLA Policies regarding reasonable accommodation, physical fitness program, issuance of work boots and time and attendance;

14. Plaintiff's official personnel file which includes Department of Veteran Affairs documentation;
15. Supervisor/employee counseling forms between Ms. Theresa Neal and Plaintiff;
16. Letter of Warning issued to Plaintiff by Ms. Theresa Neal;
17. Photos depicting chairs used by employees at DLA, ergonomic chair, DLA employee parking lot, DLA fans and DLA radio; and
18. Plaintiff's medical records. Records unknown Plaintiff had not provided medical records. A Motion to Compel is pending before this Honorable Court.

Respectfully submitted,

NICHOLAS J. GANJEI
Acting United States Attorney
For the Eastern District of Texas

/s/ Aimee M. Cooper
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**ATTORNEYS FOR THE
SECRETARY OF DEFENSE**

CERTIFICATE OF SERVICE

I certify that on May 26, 2021, a true copy of this motion with attachments was served on all counsel of record by way of the Court's CM/ECF system.

/s/ Aimee M. Cooper
Aimee M. Cooper